

Stephen Roberts  
Texas Bar No. 17019200  
Robert P. Franke  
Texas Bar No. 07371200  
Duane J. Brescia  
Texas Bar No. 240252650  
**STRASBURGER & PRICE, LLP**  
600 Congress, Suite 1600  
Austin, Texas 78701  
(512) 499-3600 / (512) 499-3660 Fax  
[stephen.roberts@strasburger.com](mailto:stephen.roberts@strasburger.com)  
[robert.franke@strasburger.com](mailto:robert.franke@strasburger.com)  
[duane.brescia@strasburger.com](mailto:duane.brescia@strasburger.com)

**ATTORNEYS FOR DEBTOR SUPERIOR AIR PARTS, INC.**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

IN RE:	§	Case No. 08-36705
	§	
SUPERIOR AIR PARTS, INC.,	§	Chapter 11
	§	
Debtor.	§	
	§	

**DEBTOR'S OBJECTION TO CLAIM NO. 149**  
**FILED BY MARSHALL HARRIS DEAN**

TO: THE HONORABLE BARBARA J. HOUSER,  
UNITED STATES BANKRUPTCY JUDGE:

**A HEARING MAY NOT BE CONDUCTED HEREON  
UNLESS A RESPONSE IS FILED WITH THE CLERK OF  
THE UNITED STATES BANKRUPTCY COURT AT EARLE  
CABELL BUILDING, U.S. COURTHOUSE 1100  
COMMERCE STREET - ROOM 1254 DALLAS, TX 75242-  
1496 BEFORE CLOSE OF BUSINESS ON SEPTEMBER  
17, 2009, WHICH IS THIRTY (30) DAYS FROM THE DATE  
OF SERVICE HEREOF.**

**ANY RESPONSE MUST BE FILED WITH THE CLERK,  
AND A COPY MUST BE SERVED UPON COUNSEL FOR  
THE MOVING PARTY PRIOR TO THE DATE AND TIME  
SET FORTH HEREIN. IF A RESPONSE IS FILED A**

**HEARING WILL BE HELD WITH NOTICE TO ALL  
INTERESTED PARTIES.**

**IF NO HEARING ON SUCH NOTICE OR MOTION  
INITIATING A CONTESTED MATTER IS TIMELY  
REQUESTED, THE RELIEF REQUESTED SHALL BE  
DEEMED TO BE UNOPPOSED, AND THE COURT MAY  
ENTER AN ORDER GRANTING THE RELIEF SOUGHT  
OR THE NOTICED ACTION MAY BE TAKEN.**

Superior Air Parts, Inc. ("Superior"), as debtor and debtor-in-possession, files this objection to the proof of claim 149 filed by Marshall Harris Dean, and would show as follows:

1. On or about February 18, 2009, Marshall Harris Dean ("Dean") filed proof of claim number 149 ("Claim 149") in the amount of \$99,000.01. The claim is comprised of a warranty claim on defective engine parts and the damage caused by the defective parts, and includes a proposed repair budget for the other engine, an estimated claim for future loss of warranty. The sales and work orders attached in support of Claim 149 total \$1,378.92.

2. Superior objects to Claim 149 because the damage done to the engine was as a result of insufficient oil flow to the rear of the front main bearing, and not as a result of defective engine parts. Attached hereto as Exhibit A is a copy of the Analytical Investigation of Damaged 320 Crankshaft, dated July 10, 2009.

WHEREFORE, the Debtor request that the Court grant this Objection and deny Claim 149, and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

/s/ Stephen A. Roberts

Stephen A. Roberts (SBN 17019200)

Robert P. Franke (SBN 07371200)

Duane J. Brescia (SBN 24025265)

**STRASBURGER & PRICE, LLP**

600 Congress, Suite 1600

Austin, Texas 78701

Tel. (512) 499-3600 / Fax (512) 499-3643

[stephen.roberts@strasburger.com](mailto:stephen.roberts@strasburger.com)

[bob.franke@strasburger.com](mailto:bob.franke@strasburger.com)

[duane.brescia@strasburger.com](mailto:duane.brescia@strasburger.com)

**BANKRUPTCY ATTORNEYS FOR DEBTOR  
SUPERIOR AIR PARTS, INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that true and correct copies of the foregoing pleading were forwarded to the parties listed below via first class U.S. Mail, postage prepaid, on the 18th day of August, 2009.

**Claimant:**

Via Certified Mail

Marshall Harris Dean

5228 La Taste Ave.

El Paso, TX 79924

**Debtor:**

Superior Air Parts, Inc.

621 S. Royal Lane, Suite 100

Coppell, TX 75019-3805

**U.S. Trustee:**

Mary Frances Durham

Office of the United States Trustee

1100 Commerce Street, Room 976

Dallas, TX 75242

**Counsel for the Committee:**

David W. Parham,  
Elliot Schuler & A. Swick  
Baker & McKenzie LLP  
2001 Ross Ave., Suite 2300  
Dallas, TX 75201

/s/ Stephen A. Roberts

Stephen A. Roberts